

**IN THE CLAIMS:**

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Claims 1-38 (Previously canceled)

39. (Original) A method for inserting an implant in a spinal disc space, comprising:  
providing a posterior lateral opening into the disc space;  
selecting an implant for insertion into the disc space;  
securing a trailing end of an implant to an implant inserter;  
positioning a leading end of the implant at the opening;  
engaging a pusher to the implant inserter;  
applying an impaction force to the implant with the pusher to push the implant through  
the opening and into the disc space; and  
applying a pivoting force to the implant with the implant inserter to move the leading  
end of the implant towards a distal portion of the disc space.

40. (Original) The method of claim 39, further comprising alternating between  
applying an impaction force and applying a pivoting force.

41. (Original) The method of claim 39, further comprising removing disc material  
from the disc space prior to positioning the leading end of the implant at the opening.

42. (Original) The method of claim 39, further comprising forming a square entrance  
port at the opening prior to positioning the leading end of the implant at the opening.

43. (Original) The method of claim 39, further comprising:  
positioning the implant at a distal portion of the disc space; and  
inserting a second implant into the disc space through the opening after positioning the  
implant at the distal portion of the disc space.

44. (Original) The method of claim 39, further comprising:  
inserting an implant template into the disc space prior to selecting the implant.

45. (Original) The method of claim 39, further comprising inserting an implant insertion guide into the disc space prior to positioning the leading end of the implant at the opening.

Claims 46-49 (Previously canceled)

50. (Previously Presented) A method for inserting an implant in a spinal disc space, comprising:

creating a posterior lateral opening into the disc space;  
providing an implant for insertion into the disc space;  
positioning a leading end of the implant at the opening; and  
applying pushing and pivoting forces to the implant to position the implant through the opening and in the disc space along a non-linear insertion path.

51. (Previously Presented) The method of claim 50, wherein the pushing and pivoting forces are applied simultaneously.

52. (Previously Presented) The method of claim 50, wherein the pushing and pivoting forces are applied alternately.

53. (Previously Presented) The method of claim 50, wherein when inserted the implant extends across the disc space to provide bi-lateral support of the adjacent vertebrae.

54. (Previously Presented) The method of claim 53, wherein the implant includes a convexly curved wall and an opposite concavely curved wall, and positioning the leading end of the implant includes orienting the implant so that the convexly curved wall is anteriorly oriented when the implant is positioned in the disc space.

55. (Previously Presented) The method of claim 50, further comprising:

positioning the implant in a portion of the disc space spaced distally from the opening; and

positioning a second implant in a proximal portion of the disc space adjacent the opening.

56. (Previously Presented) The method of claim 50, wherein applying pushing and pivoting forces to the implant includes contacting at least one instrument with a trailing end of the implant and applying pushing and pivoting forces with the at least one instrument.

57. (Previously Presented) The method of claim 50, wherein the implant includes a convexly curved wall and an opposite concavely curved wall, and positioning the leading end of the implant includes orienting the convexly curved wall and the concavely curved wall so that the convexly curved wall is anteriorly oriented in the disc space.

58. (Previously Presented) The method of claim 50, wherein applying pushing and pivoting forces includes applying pushing and pivoting forces with an inserter instrument engaged to a trailing end of the implant and a pusher instrument engaged to the inserter instrument.

59. (Previously Presented) The method of claim 50, further comprising placing bone growth material around the implant.

60. (Currently Amended) The method of claim 59, wherein placing bone growth material ~~includes placing~~ includes placing bone growth material in an anterior portion of the disc space and the implant is positioned in the disc space posteriorly of the anteriorly placed bone growth material.

61. (Previously Presented) The method of claim 60, wherein the implant includes a convexly curved wall and an opposite concavely curved wall, and positioning the leading end of the implant includes orienting the implant so that the convexly curved wall

is anteriorly oriented and extends along the bone growth material when the implant is positioned in the disc space.

62. (Currently amended) A method for inserting an implant in a spinal disc space, comprising:

creating a posterior lateral opening into the disc space;  
providing an implant for insertion into the disc space;  
positioning a leading end of the implant at the opening;  
pushing a trailing end of the implant through the opening and into the disc space; and  
pivoting the implant in the disc space through a force applied to the trailing end of the implant to move the implant in the disc space ~~so that a leading end of the implant is positioned~~ and to position the leading end of the implant in a distal portion of the disc space and to position a trailing end of the implant ~~is positioned~~ at a proximal portion of the disc space to bi-laterally support vertebrae on each side of the disc space.

63. (Previously Presented) The method of claim 62, wherein the implant is moved along a non-linear insertion path in the disc space.

64. (Previously Presented) The method of claim 62, wherein pushing the implant and pivoting the implant are conducted simultaneously.

65. (Previously Presented) The method of claim 62, wherein pushing and pivoting the implant are conducted alternately.

66. (Previously Presented) The method of claim 62, wherein pushing and pivoting the implant includes contacting at least one instrument with a trailing end of the implant and applying pushing and pivoting forces with the at least one instrument.

67. (Previously Presented) The method of claim 62, wherein the implant includes a convexly curved wall and an opposite concavely curved wall, and further comprising

orienting the leading end of the implant so that the convexly curved wall is anteriorly oriented when the implant is positioned in the disc space.

68. (Previously Presented) The method of claim 62, wherein pushing and pivoting the implant includes pushing and pivoting the implant with an inserter instrument engaged to a trailing end of the implant and a pusher instrument engaged to the inserter instrument.

69. (Previously Presented) The method of claim 68, wherein the inserter instrument includes a shaft and a bend adjacent a distal end of the shaft.

70. (Previously Presented) The method of claim 62, further comprising placing bone growth material around the implant.

71. (Previously Presented) The method of claim 70, wherein placing bone growth material includes placing bone growth material in an anterior portion of the disc space and the implant is positioned in the disc space posteriorly of the anteriorly placed bone growth material.

72. (Previously Presented) The method of claim 71, wherein the implant includes a convexly curved wall and an opposite concavely curved wall, and further comprising orienting the leading end of the implant so that the convexly curved wall is anteriorly oriented in the disc space.

73. (Previously Presented) A method for inserting an implant in a spinal disc space, comprising:

creating a posterior lateral opening into the disc space;

providing an implant for insertion into the disc space;

providing an inserter instrument including a shaft and a bend adjacent a distal end of the shaft; and

positioning the implant in the disc space along a non-linear insertion path with the bend of the inserter instrument positioned through the posterior lateral opening and the distal end of the inserter instrument in contact with the implant.

74. (Previously Presented) The method of claim 73, wherein the implant includes a convexly curved wall and an opposite concavely curved wall, and positioning the leading end of the implant includes orienting the implant so that the convexly curved wall is anteriorly oriented when the implant is positioned in the disc space.

75. (Previously Presented) The method of claim 73, further comprising placing bone growth material around the implant.

76. (Previously Presented) The method of claim 75, wherein placing bone growth material includes placing bone growth material in an anterior portion of the disc space and the implant is positioned in the disc space posteriorly of the anteriorly placed bone growth material.

77. (Previously Presented) The method of claim 76, wherein the implant includes a convexly curved wall and an opposite concavely curved wall, and positioning the leading end of the implant includes orienting the implant so that the convexly curved wall is anteriorly oriented in the disc space.

78. (Previously Presented) A method for inserting an implant in a spinal disc space, comprising:

providing a posterior lateral opening into the disc space;  
selecting an implant for insertion into the disc space;  
positioning a leading end of the implant at the opening;  
manipulating a first instrument to position the implant through the opening and into the disc space; and

manipulating a second instrument to advance the implant distally into the disc space to position the leading end of the implant on a side of the spinal column axis opposite the opening and a trailing end of the implant is positioned on a side of the spinal column axis adjacent to the opening.

79. (Previously Presented) The method of claim 78, further comprising placing bone growth material around the implant.

80. (Currently Amended) The method of claim 79, wherein placing bone growth material ~~includes placing~~ includes placing bone growth material in an anterior portion of the disc space and the implant is positioned in the disc space posteriorly of the anteriorly placed bone growth material.

81. (Previously Presented) The method of claim 80, wherein the implant includes a convexly curved wall and an opposite concavely curved wall, and positioning the leading end of the implant includes orienting the implant so that the convexly curved wall is anteriorly oriented in the disc space.

82. (Previously Presented) The method of claim 78, wherein the first instrument includes an inserter instrument engaged to the trailing end of the implant and the second instrument includes a pusher instrument engaged to the inserter instrument.

83. (Previously Presented) The method of claim 78, wherein at least one of the first and second instruments includes a shaft and a bend adjacent a distal end of the shaft.

84. (Previously Presented) The method of claim 83, further comprising positioning the bend of the at least one of the first and second instruments through the posterior lateral opening and into the disc space when positioning the implant.

85. (Previously Presented) The method of claim 78, wherein the first instrument and the second instrument are manipulated simultaneously.

86. (Re-presented – formerly dependent claim 52) A method for inserting an implant in a spinal disc space, comprising:

creating a posterior lateral opening into the disc space;  
providing an implant for insertion into the disc space;  
positioning a leading end of the implant at the opening; and  
alternately applying pushing and pivoting forces to the implant to position the implant through the opening and in the disc space along a non-linear insertion path.

87. (New) The method of claim 86, wherein when inserted the implant extends across the disc space to provide bi-lateral support of the adjacent vertebrae.

88. (New) The method of claim 87, wherein the implant includes a convexly curved wall and an opposite concavely curved wall, and positioning the leading end of the implant includes orienting the implant so that the convexly curved wall is anteriorly oriented when the implant is positioned in the disc space.

89. (New) The method of claim 86, further comprising:  
positioning the implant in a portion of the disc space spaced distally from the opening; and  
positioning a second implant in a proximal portion of the disc space adjacent the opening.

90. (New) The method of claim 86, wherein applying pushing and pivoting forces to the implant includes contacting at least one instrument with a trailing end of the implant and applying pushing and pivoting forces with the at least one instrument.



91. (New) The method of claim 86, wherein the implant includes a convexly curved wall and an opposite concavely curved wall, and positioning the leading end of the implant includes orienting the convexly curved wall and the concavely curved wall so that the convexly curved wall is anteriorly oriented in the disc space.

92. (New) The method of claim 86, wherein applying pushing and pivoting forces includes applying pushing and pivoting forces with an inserter instrument engaged to a trailing end of the implant and a pusher instrument engaged to the inserter instrument.

93. (New) The method of claim 86, further comprising placing bone growth material around the implant.

94. (New) The method of claim 93, wherein placing bone growth material includes placing bone growth material in an anterior portion of the disc space and the implant is positioned in the disc space posteriorly of the anteriorly placed bone growth material.

95. (New) The method of claim 94, wherein the implant includes a convexly curved wall and an opposite concavely curved wall, and positioning the leading end of the implant includes orienting the implant so that the convexly curved wall is anteriorly oriented and extends along the bone growth material when the implant is positioned in the disc space.

96. (Re-presented – formerly dependent claim 58) A method for inserting an implant in a spinal disc space, comprising:

creating a posterior lateral opening into the disc space;  
providing an implant for insertion into the disc space;  
positioning a leading end of the implant at the opening; and  
applying pushing and pivoting forces to the implant to position the implant through the opening and in the disc space along a non-linear insertion path, wherein

applying pushing and pivoting forces includes applying pushing and pivoting forces with an inserter instrument engaged to a trailing end of the implant and a pusher instrument engaged to the inserter instrument.

97. (New) The method of claim 96, wherein the pushing and pivoting forces are applied simultaneously.

98. (New) The method of claim 96, wherein the pushing and pivoting forces are applied alternately.

99. (New) The method of claim 96, wherein when inserted the implant extends across the disc space to provide bi-lateral support of the adjacent vertebrae.

100. (New) The method of claim 99, wherein the implant includes a convexly curved wall and an opposite concavely curved wall, and positioning the leading end of the implant includes orienting the implant so that the convexly curved wall is anteriorly oriented when the implant is positioned in the disc space.

101. (New) The method of claim 96, further comprising:  
positioning the implant in a portion of the disc space spaced distally from the opening; and  
positioning a second implant in a proximal portion of the disc space adjacent the opening.

102. (New) The method of claim 96, wherein the implant includes a convexly curved wall and an opposite concavely curved wall, and positioning the leading end of the implant includes orienting the convexly curved wall and the concavely curved wall so that the convexly curved wall is anteriorly oriented in the disc space.

103. (New) The method of claim 96, further comprising placing bone growth

material around the implant.

104. (Re-presented – formerly dependent claim 59) A method for inserting an implant in a spinal disc space, comprising:

- creating a posterior lateral opening into the disc space;
- providing an implant for insertion into the disc space;
- positioning a leading end of the implant at the opening;
- applying pushing and pivoting forces to the implant to position the implant through the opening and in the disc space along a non-linear insertion path; and
- placing bone growth material around the implant.

105. (New) The method of claim 104, wherein the pushing and pivoting forces are applied simultaneously.

106. (New) The method of claim 104, wherein the pushing and pivoting forces are applied alternately.

107. (New) The method of claim 104, wherein placing bone growth material includes placing bone growth material in an anterior portion of the disc space and the implant is positioned in the disc space posteriorly of the anteriorly placed bone growth material.

108. (New) The method of claim 107, wherein the implant includes a convexly curved wall and an opposite concavely curved wall, and positioning the leading end of the implant includes orienting the implant so that the convexly curved wall is anteriorly oriented and extends along the bone growth material when the implant is positioned in the disc space.

109. (Re-presented – formerly dependent claim 65) A method for inserting an implant in a spinal disc space, comprising:

creating a posterior lateral opening into the disc space;  
providing an implant for insertion into the disc space;  
positioning a leading end of the implant at the opening;  
pushing the implant through the opening and into the disc space; and  
pivoting the implant in the disc space to move the implant in the disc space so that a leading end of the implant is positioned in a distal portion of the disc space and a trailing end of the implant is positioned at a proximal portion of the disc space to bi-laterally support vertebrae on each side of the disc space, wherein pushing and pivoting the implant are conducted alternately.

110. (New) The method of claim 109, wherein the implant is moved along a non-linear insertion path in the disc space.

111. (New) The method of claim 109, wherein pushing the implant and pivoting the implant are conducted simultaneously.

112. (New) The method of claim 109, wherein pushing and pivoting the implant includes contacting at least one instrument with a trailing end of the implant and applying pushing and pivoting forces with the at least one instrument.

113. (New) The method of claim 109, wherein the implant includes a convexly curved wall and an opposite concavely curved wall, and further comprising orienting the leading end of the implant so that the convexly curved wall is anteriorly oriented when the implant is positioned in the disc space.

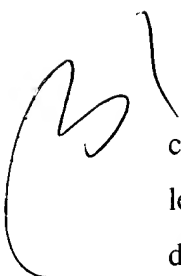
114. (New) The method of claim 109, wherein pushing and pivoting the implant includes pushing and pivoting the implant with an inserter instrument engaged to a trailing end of the implant and a pusher instrument engaged to the inserter instrument.

115. (New) The method of claim 114, wherein the inserter instrument includes a

shaft and a bend adjacent a distal end of the shaft.

116. (New) The method of claim 109, further comprising placing bone growth material around the implant.

117. (New) The method of claim 116, wherein placing bone growth material includes placing bone growth material in an anterior portion of the disc space and the implant is positioned in the disc space posteriorly of the anteriorly placed bone growth material.

 118. (New) The method of claim 117, wherein the implant includes a convexly curved wall and an opposite concavely curved wall, and further comprising orienting the leading end of the implant so that the convexly curved wall is anteriorly oriented in the disc space.

